

Appl. No. 10/620,001

Applicant Docket 9046/23

Notice of Non-compliant Amendment mailed March 25, 2005

Response transmitted March 31, 2005

REMARKS/ARGUMENTS

1. Claim 1-37 are pending in the Application. The Office Action requires a restriction as between two Groups of claims, the claims directed to a product and a process of using the product. Group I is directed to an inertia switch and includes Claims 1-8, 11-18, 21-26, 28-33, and 37. Group II is drawn to a method of using a flashing light system, and includes Claims 9-10, 19-20, 27, and 34-36. Applicants traverse the restriction requirement and elect Group I.

2. The restriction requirement may be overcome if Applicants can show that the suggested alternative use cannot be accomplished. The alternative use suggested in the Office Action for using the product as claimed is "mounting a decorative bell." Applicants presume the Examiner intends to use an inertia switch to activate a bell, such as by mounting an inertia switch between the clapper and the housing of the bell. An inertia switch in this example is superfluous. Motion, such as that provided by a hand of the user, is required to activate the inertia switch, and the same motion would be required to ring the bell. Thus, the inertia switch is not needed and is superfluous.

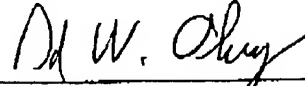
Alternatively, suggests the Office Action, the product as claimed, the inertia switch. can be used in a materially different process, such as in an automobile. An automobile is not a process. Thus, the Office Action fails to give an example of a materially different process, and the restriction requirement is overcome.

3. The Office Action has failed to document that the claimed inertia switch may be used in a materially different process; Applicants have shown that the suggested alternative use for the product is superfluous. Accordingly, the restriction requirement is overcome, since the Office Action fails to show that the process of using can be practiced with another materially different product, or that the product can be used in a materially different process. Applicants respectfully request the Examiner to withdraw the restriction requirement and to advance Claims 1-37 to examination.

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Respectfully submitted,



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